

## **V. REMARKS**

Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as anticipated by Kunagai et al. (U.S. Patent No. 6,250,600). Claims 2 and 5 are rejected under 35 U.S.C. 102(b) as anticipated by Taguchi (U.S. Patent No. 6,179,572). The rejections are respectfully traversed.

Claim 1, as amended, is directed to a control valve for a variable capacity compressor, which comprises a bellows main body retained as a pressure sensing element in a bellows case with an airtight structure and transfers expansion and contraction of the bellows main body in response to a variation in inlet pressure of the variable capacity compressor to a valve element through a valve rod supported to be movable in a valve lifting direction from a valve housing integral with the bellows case to thereby change a valve opening degree. Claim 1 recites that a patch member is provided to a movable-side end portion of the bellows main body and is formed with a fitting recessed portion, one end portion of the valve rod being fitted to be able to float in the fitting recessed portion and the edge of the one end portion of the valve rod is formed with a radius of curvature, or the end portion is hemispherically formed with the one end portion being housed in the fitting recessed portion in a tiltable manner. Claim 1 further recites that a compression coil spring is disposed between the patch member and a lower patch member for supporting a fixed-side end portion of the bellows main body.

Claim 1 has been amended in view of the fact that neither reference discloses a control valve having a feature that one end of the valve rod 25 being rounded or hemispherically formed with one end being housed in the fitting recessed portion 31b of the patch member 31 in a tiltable manner.

This claimed feature of amended claim 1 allows the valve rod 2 to be vertically maintained without tilting when the bellows 26 are tilted, which causes the patch member 31 to be also tilted. Thus, in amended claim 1, hysteresis during the

opening/closing operation of the control valve can be reduced, thereby providing highly accurate control characteristics.

Taguchi does not disclose this feature now incorporated into claim 1 at all.

Kunagai discloses an arrangement in which a ball 77 is disposed on one end of the valve rod 65, wherein the ball 77 is housed in a spherical recessed 78. Such arrangement is different from the feature now incorporated into amended claim 1 in structure and effect. In addition, it requires a larger number of steps and production steps.

Claims 2, 4 and 5 depend from claim 1 and includes all of the features of claim 1. Thus, the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

Further, Applicants assert that there are also reasons other than those set forth above why the pending claims are patentable. Applicants hereby reserve the right to submit those other reasons and to argue for the patentability of claims not explicitly addressed herein in future papers.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance; the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same,

TOC-0007  
(80402-0007)

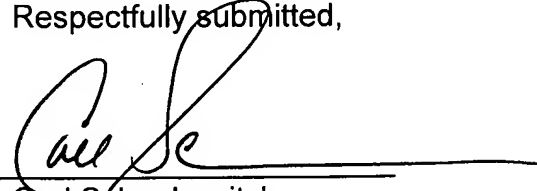
Application No. 10/689,699

the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: March 19, 2007

By:

  
Carl Schaukowitch  
Reg. No. 29,211

**RADER, FISHMAN & GRAUER PLLC**  
1233 20<sup>th</sup> Street, N.W. Suite 501  
Washington, D.C. 20036  
Tel: (202) 955-3750  
Fax: (202) 955-3751  
Customer No. 23353

Enclosure(s):      Amendment Transmittal

DC268445.DOC